

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 2061**

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**Introduced by Assembly Member Chau**

February 20, 2014

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An act to add Article 5.5 (commencing with Section 11420) to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to public social services, ~~and making an appropriation therefor.~~

### LEGISLATIVE COUNSEL'S DIGEST

AB 2061, as amended, Chau. Housing Program for Homeless Families Receiving Child Welfare Services.

Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program under which each county provides cash assistance and other benefits to qualified low-income families using a combination of state, county, and federal funds. Under existing law, after a family has used all available liquid resources in excess of \$100, the family is entitled to receive a CalWORKs allowance for nonrecurring special needs, including homeless assistance.

Under existing law, the State Department of Social Services and county welfare departments maintain a system of child welfare services to serve the needs of children who are alleged to be abused or neglected, to reduce the necessity for removing these children from their homes, to encourage speedy reunification of families when it can be safely accomplished, and to locate permanent homes and families for children who cannot return to their biological families, among other things.

This bill would establish the Housing Program for Homeless Families Receiving Child Welfare Services, under which the State Department of Social Services would provide a 4-year grant to a participating county to enable the county to provide specified housing services and related financial assistance to homeless, or recently homeless, families that receive child welfare services and meet other eligibility criteria. The bill would require, among other things, a participating county to fund 50% of the cost of the services delivered under the program, as provided. ~~The bill would also appropriate \$3,000,000 from the General Fund to the department to fund grants to counties under the program.~~

Vote:  $\frac{2}{3}$ -majority. Appropriation: ~~yes-no~~. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) A correlation exists between family homelessness and foster
- 4 care placement. Though homelessness alone is not a basis for
- 5 removing a child from a home, almost one-half of children in foster
- 6 care have birth parents with a history of homelessness. Foster
- 7 children with homeless birth parents are less likely to live with
- 8 relative caregivers than children of families with stable housing,
- 9 and these children remain separated from their families for longer
- 10 than children of families with stable housing.
- 11 (b) Homelessness and housing instability interfere with the
- 12 reunification of children in foster care with birth families. As many
- 13 as 30 percent of children in foster care who cannot be reunited
- 14 with birth families could be reunited if the family were able to
- 15 access a safe place to live.
- 16 (c) Like children of homeless families, children involved with
- 17 a child welfare system experience elevated school dropout rates,
- 18 learning difficulties, worsening mental health conditions, and high
- 19 levels of aggravation.
- 20 (d) A study of child-welfare-involved families experiencing
- 21 long-term homelessness with at least one parent with a substance
- 22 use disorder showed supportive housing allowed the majority of
- 23 families' child welfare cases to be resolved by reuniting families
- 24 within 10 months. The study showed supportive housing reduced

1 actual and potential use of foster care services by an average of  
2 187 days.

3 (e) Studies have shown that ~~the provision of~~ *providing* low-cost  
4 short- and medium-term housing and services interventions, known  
5 as “rapid rehousing services,” to families experiencing brief  
6 episodes of homelessness results in housing stability, with families  
7 becoming 4.7 times less likely to return to homelessness than  
8 shelter interventions.

9 (f) A child’s experience with foster care perpetuates a cycle of  
10 homelessness. Data shows that 25 percent of children placed in  
11 foster care become homeless within four years of aging out.

12 (g) Jurisdictions are using evidence-based strategies to  
13 implement federal demonstration waivers that grant states  
14 flexibility in the use of federal foster care payment funds. These  
15 waivers allow child welfare agencies to use alternative services  
16 and supports that promote safety, permanency, and well-being for  
17 children.

18 (h) It is the intent of the Legislature to promote the use of  
19 innovative, evidence-based models to assess the housing needs of  
20 families who are receiving child welfare services and who are  
21 experiencing homelessness, and to fund rapid rehousing, supportive  
22 housing, and services that promote housing stability, with the goals  
23 of preventing foster care placement and reuniting children in foster  
24 care with their birth parents.

25 ~~(i) Three million dollars, as appropriated by this act, will provide~~  
26 ~~housing assistance to 800 homeless families.~~

27 SEC. 2. Article 5.5 (commencing with Section 11420) is added  
28 to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions  
29 Code, to read:

30  
31 Article 5.5. Housing Program for Homeless Families Receiving  
32 Child Welfare Services  
33

34 11420. For purposes of this article, the following terms shall  
35 have the following meanings:

36 (a) (1) “Eligible family” means a family that meets all of the  
37 following *criteria*:

38 (A) Receives child welfare services, as defined in Section 16501,  
39 which include, but are not limited to, child maltreatment  
40 investigations, emergency response services, family preservation

1 services, family maintenance services, out-of-home placements,  
2 family reunification services, and the identification of children to  
3 be placed in suitable relative adoptive homes.

4 (B) Is homeless or has been homeless within the past 12 months.

5 (C) Voluntarily agrees to participate in the program.

6 (D) Meets any additional criteria adopted by the county.

7 (2) “Eligible family” does not include a family for whom family  
8 reunification services have been denied or terminated.

9 (b) “Department” means the State Department of Social  
10 Services.

11 (c) “Homeless” has the same meaning as defined in Section  
12 91.5 of Title 24 of the Code of Federal Regulations, as it read on  
13 January 1, 2014.

14 (d) “Permanent housing” means housing without a limit on  
15 length of stay that meets the habitability requirements contained  
16 in Section 1941.1 of the Civil Code.

17 (e) “Rapid rehousing” means assistance to allow individuals  
18 and families experiencing homelessness to be quickly stabilized  
19 and housed in permanent housing affordable to the individual or  
20 family, and includes, but is not limited to, the services identified  
21 in Section 11422.

22 (f) “Supportive housing” has the same meaning as defined in  
23 paragraph (2) of subdivision (b) of Section 50675.14 of the Health  
24 and Safety Code, but is not restricted to projects with five or more  
25 units.

26 11421. (a) The department shall design the Housing Program  
27 for Homeless Families Receiving Child Welfare Services, which  
28 shall do both of the following:

29 (1) ~~Provide~~ *Upon appropriation by the Legislature, provide a*  
30 four-year grant to any county that meets the requirements of  
31 Section 11424, to enable the county to provide the services and  
32 financial assistance described in Section 11422.

33 (2) Promote participation in, and educate county officers and  
34 employees regarding, the program.

35 (b) The department shall, using a third-party evaluator, collect  
36 data and evaluate the effect of the program, including all of the  
37 following:

38 (1) How many families the program served.

39 (2) The services provided to each family.

1 (3) The median and mean costs per family expended by each  
2 county.

3 (4) The status of each participating family's child welfare case  
4 upon entering the program, after six months in the program, after  
5 one year in the program, and, if applicable, after two years in the  
6 program, as well as the length of time to resolve a participating  
7 family's case as compared with other families' cases in each  
8 participating county.

9 (5) The incidence of recidivism into the child welfare system  
10 among participating families, as compared to the incidence of  
11 recidivism among other families involved in the child welfare  
12 system in the participating county, over a specified period of time.

13 (6) The current housing status of each participating family.

14 (7) Other relevant outcomes, such as school performance and  
15 change in income status.

16 (c) The department shall provide opportunities for public  
17 comment and input from the counties during the design process.

18 (d) Subject to federal approval, the department shall include the  
19 services identified in Section 11422 as part of a Title IV-E waiver  
20 demonstration project.

21 11422. A county that opts to participate in the program shall  
22 provide all of the following services to an eligible family:

23 (a) An assessment of the family's housing needs and the  
24 development of a plan to meet those needs.

25 (b) The engagement of housing navigators to help families locate  
26 safe, affordable housing with private or nonprofit landlords.

27 (c) If appropriate based on the assessment of the family's  
28 housing needs, the provision of rapid rehousing assistance,  
29 including, but not limited to, all of the following:

30 (1) Short-term or medium-term rental assistance.

31 (2) Housing relocation services.

32 (3) Housing mediation services, such as credit counseling.

33 (4) Security deposits, utility deposits, or other move-in cost  
34 assistance.

35 (5) Utility payments.

36 (6) Moving cost assistance.

37 (7) Case management to promote housing stability.

38 (d) If appropriate based on the assessment of the family's  
39 housing needs, the provision of supportive housing assistance,  
40 including, but not limited to, all of the following:

- 1 (1) Long-term rental assistance.
- 2 (2) Housing relocation services.
- 3 (3) Security deposits, utility deposits, or other move-in cost
- 4 assistance.
- 5 (4) Interim housing assistance, if the family and child welfare
- 6 agency are working toward permanent housing placement.
- 7 (5) Case management and other services that promote housing
- 8 stability.

9 11423. Rental assistance provided under the program shall be  
10 used only for housing that meets all of the following criteria:

- 11 (a) Is permanent as defined in Section 11420, unless interim
- 12 housing assistance is provided while a family is awaiting placement
- 13 in permanent housing.
- 14 (b) Offers all of the landlord-tenant protections included in the
- 15 Civil Code.

- 16 (c) Provides rental agreements between landlords and tenants.

17 11424. A county shall be eligible for state funds under this  
18 program, upon application to the department, if the county meets  
19 both of the following criteria:

- 20 (a) The county funds 50 percent of the costs of the services
- 21 identified in Section 11422 from one of the following sources:

22 (1) Foster care payment funds, if the county is participating in  
23 the federal Title IV-E waiver capped allocation demonstration  
24 project pursuant to Section 18260.

25 (2) A commitment of federal, state, or local housing subsidies  
26 administered by a public housing authority to meet participating  
27 families' rental assistance needs.

28 (3) A commitment of rental assistance through partnership with  
29 a community-based permanent housing provider that agrees to  
30 limit participating families' rent to one-third of each family's  
31 income.

- 32 (b) The county demonstrates need and the capacity to administer
- 33 the grants.

34 ~~SEC. 3. The sum of three million dollars (\$3,000,000) is hereby~~  
35 ~~appropriated from the General Fund to the State Department of~~  
36 ~~Social Services to fund grants to counties under the Housing~~  
37 ~~Program for Homeless Families Receiving Child Welfare Services~~  
38 ~~contained in Article 5.5 (commencing with Section 11420) of~~  
39 ~~Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions~~  
40 ~~Code.~~

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